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HONOURABLE SRI JUSTICE B.PRAKASH RAO
AND
HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO:17331 of 2006

DATED: 25-08-2006

Between:

1. The District Collector, Chittoor, Chittoor District and 2 others.

.....
PETITIONERS

AND

Sri M.R.Chenga Reddy

.....RESPONDENT

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ORDER:(per Hon'ble Sri Justice B.Prakash Rao)

Heard the learned Government Pleader for Services II.

The petitioner herein seeks to assail the orders in O.A.No.2723 of 2003 dated 11-09-2003 on the file of the A.P. Administrative Tribunal, Hyderabad, allowing the application filed

under Section 19 of the Administrative Tribunals Act, 1985, by the respondent herein seeking for payment of additional charge allowance of honorarium/Additional office allowance from 25-11-1992 to 31-12-2001.

The grievance of the applicant/respondent was that though he was appointed as Village Administrative Officer of Vepperi village, Vedurukuppam Mandal as Additional Charge from 25-11-1992 till 31-05-2001, however, it is only for a period of six months, he has been paid, but for the subsequent period no amount is paid.

The Tribunal, taking note of the fact that as the applicant has discharged his duties and the respondents have extracted the work from the applicant from 25-11-1992 to 31-05-2001, and he has been paid Additional charge allowance as per Rule 5 of the A.P. Village Administrative Officers Services Rules, 1990, for a period of six months, held that the applicant is entitled for payment of additional honorarium for holding the post of Additional Charge Village Administrative Officer.

Having heard the learned Government Pleader and also on perusal of the material on record, it is seen that though the learned Government Pleader brought to the notice of this Court that subsequently, the Government negatived the provisions of Rule 5 (2) and 26 of the A.P. V.A.O. Service Rules, 1990 and hence, the

respondent would not entitled for payment, however, having appointed the respondent initially and also continued in the subsequent period, could not entitle the petitioners herein to deny the legitimate benefits to which he is entitled, especially, when he discharged his duties. Hence, we do not find any merits.

Accordingly, the writ petition is dismissed. However, in the circumstances, without costs.

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B.PRAKASH RAO, J

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RAMESH RANGANATHAN, J

25th August, 2006
SKM